

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RED HEAD, INC.,

No. C-08-5703 EMC

Plaintiff,

v.

FRESNO ROCK TACO, LLC,

**ORDER DENYING WITHOUT  
PREJUDICE PLAINTIFF'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES ARE  
RELATED**

Defendant.

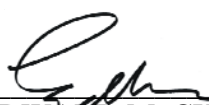
(Docket No. 53)

Plaintiff has filed an administrative motion, asking that the Court deem a case, which is currently pending in the Eastern District of California, related to the above-referenced case. Plaintiff relies on Civil Local Rule 3-12 as a basis for this Court to deem the cases related. However, Civil Local Rule 3-12 applies only when *both* cases are in this District. *See* Civ. L.R. 3-12(b) (providing that, "[w]henever a party knows or learns that an action, *filed in or removed to this district* is . . . related to an action which is or was *pending in this District* . . . , the party must promptly file . . . an Administrative Motion to Consider Whether Cases Should be Related") (emphasis added). Accordingly, Plaintiff's request to relate is **DENIED** without prejudice.

This order disposes of Docket No. 53.

IT IS SO ORDERED.

Dated: November 23, 2010

  
EDWARD M. CHEN  
United States Magistrate Judge